

August 7, 2012

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WC Docket No. 11-42, WC Docket No. 03-109,
CC Docket No. 96-45, WC Docket No. 12-23
Petition of TracFone Wireless, Inc. for Declaratory
Ruling or, In the Alternative, Request for Waiver of
Section 54.410(f) of the Commission's Rules
EX PARTE PRESENTATION

Dear Ms. Dortch:

On May 18, 2012, we filed on behalf of our client, TracFone Wireless, Inc. ("TracFone") the above-captioned petition for declaratory ruling or, in the alternative, request for waiver of Section 54.410(f) of the Commission's rules. One purpose for the requested relief was to avoid unnecessarily burdening those enrolled Lifeline customers who had already re-certified their continued Lifeline eligibility during 2012 with the requirement that they again re-certify during calendar year 2012, but after June 1, 2012. Another purpose was to prevent the de-enrollment of qualified consumers from the Lifeline program for not responding to re-certification requests when such consumers already had re-certified their continued eligibility earlier during 2012.

In addition, we requested that those customers who enrolled in TracFone's SafeLink Wireless[®] Lifeline service during 2012, but prior to June 1, re-certify their continued Lifeline eligibility prior to the one year anniversary of their enrollment. By letter dated June 26, 2012, TracFone supplemented that petition with certain additional information and documentation which had been requested by Commission staff.

We believe that the petition and the additional information and documentation provided in June demonstrates that all TracFone Lifeline customers have received all or substantially all information required by the Commission's rules as revised in the Lifeline Reform Order (Lifeline and Link Up Reform and Modernization, *et al.*, FCC 12-11, released February 6, 2012). In an abundance of caution, TracFone will be sending a letter to all Lifeline customers whose continued eligibility was re-verified during 2012, but prior to June 1, and to all customers enrolled in Lifeline this year prior to June 1. A copy of that letter is attached hereto. That letter fully apprises such customers of all

obligations imposed on them by the revised rules not mentioned during the initial enrollment or during the re-certification. Those additional requirements include prompt notification of address changes; prompt notification when customers no longer remain eligible for Lifeline support; the one-per-household limitation; the actual usage requirement; the need to re-certify continuing eligibility; and that customer information will be provided to the Universal Service Administrative Company.

These letters, in addition to the information provided by TracFone to Lifeline customers during the re-certification process and during enrollment, will provide that all Lifeline customers will have received all information required by the Commission's Lifeline rules as amended by the Lifeline Reform Order.

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically. Please direct any questions to undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

Attachment

Cc: Mr. Trent Harkrader
Ms. Kimberly Scardino
Ms. Divya Shenoy
Mr. Jonathan Lechter



SAFELINK WIRELESS® provides a FREE wireless phone and
250 FREE monthly minutes to qualified households under the Lifeline Assistance Program.

DATE

CUSTOMER NAME
STREET ADDRESS
CITY, STATE ZIP CODE

Dear Customer:

You are receiving this letter because, according to our records, you either became a SafeLink Wireless® customer, or completed an annual verification between January 1, 2012 and May 31, 2012. This letter is to inform you of certain changes the Federal Communications Commission has made to the Lifeline program, which supports your SafeLink benefits. These changes became effective on June 1, 2012, and affect **ALL** Lifeline subscribers. Please be advised of the following:

1. **All changes of address must be provided to us within 30 days.** If the address above is no longer your current address, please update your account information with the new address at: https://www.safelinkwireless.com/Safelink/service_support/updateinfo or call us at 1-800-SAFELINK.
2. **You must notify us within 30 days if you no longer meet the income or program participation requirements for Lifeline.** Lifeline is a government supported program, which is only available to eligible subscribers. Customers who willfully make false statements to obtain the Lifeline benefit may be punished by fines or imprisonment, and can be barred from the program.
3. **Federal regulations restrict Lifeline service to one service per household.** For the purposes of the Lifeline program, a household is defined, as any individual or group of individuals, who live together at the same address and share income and expenses. A household is not permitted to receive Lifeline benefits from multiple providers. You must notify SafeLink within 30 days if you are receiving more than one Lifeline benefit, or if another member of your household is receiving a Lifeline benefit.
4. **You will be required to re-certify your continued eligibility for Lifeline in the future, and your failure to immediately re-certify will result in the termination of your Lifeline benefits.**
5. **Lifeline benefits are limited to customers who actively use their service.** If you do not use your phone to make or receive a call in any 60 day period, your service may be discontinued for non-usage.
6. **SafeLink will provide your name, telephone number and address to the Universal Service Administrative Company (USAC), the administrator of the Lifeline program, and/or its agents, in order to verify that you do not receive more than one Lifeline benefit.** If you do not wish for SafeLink to provide your name, telephone number and address to USAC, you must contact us immediately and cancel your Lifeline service.

If you have any questions, please call us at 1-800-SAFELINK.

Sincerely,
The SafeLink Wireless Team